

## Administrative Review Completion Checklist

**Company:** Custom Landscape Materials, LLC

**Mine:** KB-1 Aggregate Mine Site

Administratively Complete? 8/26/21

Date Received: \_\_\_\_\_

Description	Location item is documented	Included?
1. Names/ address of Owner /Operator		
a. Regulatory Contact	Pg 4 / Sec 1.1	
b. Statement of Responsibility	App A	
3. Current Ownership and use of Land	Pg 3&4	
4. Proposed Post Mining Land Use	Pg 7/ Sec 1.5	
5. Description of mining unit and Proposed Disturbances	Pg 7 /EX B	
6. Existing and Proposed Final Topography	Pg 7/Sec 1.5	
7. Narrative Description of Roads	Pg 2.1/Pg 7	
8. Acreage Affected by Each Type of Surface Disturbance	Exh B	
9. Map of Mining Unit Showing Each Disturbance	Exh B	
10. For Previously Undisturbed Areas, Map Identifying Fish and Wildlife Habitats that will be disturbed	-NA- /Sec 1.5	
11. Proposed Reclamation measures to Achieve Post Mining Land Use (if applicable)	Exh C	
a. Restricting Public Access to Pits, Adits, Shafts, and Other Surface Features	Exh C / Sec 2.2 - pg 8	
b. Erosion Control and Stability	Exh A/ Sec 2.2	
c. Revegetation, Conservation, Care and Monitoring of revegetated Areas	Sec 3.3/ pg 13	
d. Type of Wildlife or Fish Habitat To be Encouraged	-NA- /Sec 1.5	
12. Proposed Schedule for Beginning Surface Disturbances	Sec 3.5/ pg 14	
13. Estimated Costs for Reclamation	App B	
a. Documentation for the Calculation of Cost Estimates	B.1	
b. Source of Estimated Costs	B.1&2	

# Aggregate Mining Unit Reclamation Plan

-FOR-

## KB-1 AGGREGATE MINE SITE

### Located at

40330 N 131ST Ave, MORRISTOWN, AZ 85342  
(N ½ of Sec 22 T6N R1W)  
APN: 503-11-001J, 503-11-001D, 503-11-001G  
Maricopa County, AZ

### Prepared for:

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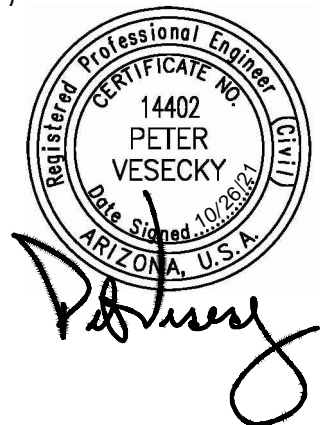
### For Submittal to

Arizona State Mine Inspector's Office (ASMI)  
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Phoenix, AZ 85007

*Prepared by-*



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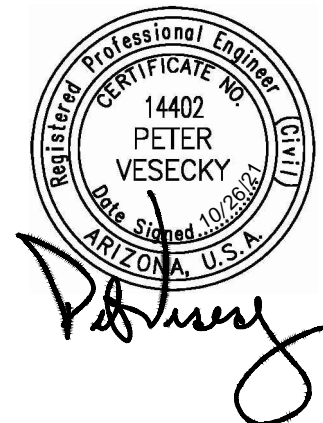
August 25th, 2021

October 26th, 2021 rev-1

Job No. 21003

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## **Figures**

Figure 1: Location Map

Figure 2: KB-1 Mine Site Plan

## **Appendices**

Appendix A: Reclamation Statement of Responsibility

Appendix B: Cost Estimates and References

Appendix C: Reclamation Bond Summary Worksheet

## **Exhibits**

Exhibit A Watershed Boundaries and Proposed Drainage Plan

Exhibit B Mining Units & Disturbance Areas (24x36)

Exhibit C Post-Mine Reclamation Plan (24x36)

Exhibit D Post Mine Land Use Plan



## 1. INTRODUCTION/PURPOSE

This Reclamation and Closure Report was prepared by Vespro on behalf of Custom Landscape Materials, LLC, referred to herein as the mine site 'Operator,' that has executed an agreement to mine aggregate material on property that is privately owned by Sage Creek LP LLC, referred to herein as the 'Owner.'

This agreement identifies the Operator as the responsible party that is allowed by the Owner to mine earthen materials, using hard rock extraction methods, and then process various select aggregate products, for landscaping and construction use. A Statement of Responsibility acknowledging the Operator's dedication to reclaim the land as described herein is included in **Appendix A**. The duration of mining activity at this site is expected to last about 20 years, beginning December 2021 and ending July of 2041.

This aggregate mine site will be located within three parcels of undeveloped desert land that totals about 290 acres within Maricopa County, Arizona. The gross area of the proposed mine site is about 162.65 acres of land, referred to herein as the 'KB-1 Aggregate Mine,' (KB-1). Refer **Figure 1** for the Location Map (All figures and Exhibits are located at the end of this report along with the supporting documentation included in the Appendices).

The attached Site Plan, included as **Figure 2**, shows the depiction of the property and the adjacent land ownership around the proposed mine site, being located on land that is currently zoned as RU-43 and R1-35. This mine site was approved for a Mining Exemption by the Maricopa Planning and Development Department (MCPD). MCPD has assigned a new address to the KB-1 site, at the same time the Mining Exemption was approved.

The new site address is: **40330 N 131ST Ave, MORRISTOWN, AZ 85342**

The purpose of this report is to provide a description of mine site reclamation procedures and estimates for costs associated with closure of this mine site after mining activity ceases. This report was completed in accordance with the guidelines of all applicable State and County regulations that govern aggregate mining operations under their jurisdiction, and in compliance with state regulations identified in the Arizona Revised Statutes [A.R.S.] § 27-1271 et seq. (and also under Articles 6 & 7 thereof) and the Arizona Administrative Code [AAC] Title 11, Chapters 1 & 2. The mine site startup forms will be submitted to ASMI by the mine site operator concurrently with this review.

## 1.1. Contact Information

The following contact information is current for the Owner and Operator at the regulatory contact available at the time of this report.

### Property Owner:

Sage Creek LP LLC Attn: Ron Coleman  
7356 E VAQUERO DR  
SCOTTSDALE AZ 85258  
(602) 980-2726  
[ron.coleman@me.com](mailto:ron.coleman@me.com)

### Mine Operator:

CUSTOM LANDSCAPE MATERIALS, LLC Attn: SAM SCHIPPERS  
25376 W TONAPAH - SALOME HWY  
BUCKEYE, AZ 85236  
(623) 386-8777 Office  
(623) 386-7355 Fax  
[SAMROCKS@CLM.ROCKS](mailto:SAMROCKS@CLM.ROCKS)

### Mine Inspector:

Arizona State Mine Inspector's Office (ASMI)  
Contact: Amanda Lothner  
1700 West Washington, 4th Floor  
Phoenix, AZ 85007  
**Phone:** 602-542-5971

## 1.2. Post-Mine Land Use

Post-mine land use will be for development of 290 acres of residential subdivision, that consists of single-family custom homes. See **Appendix D** that shows the Owner's proposed predevelopment plan. The Owner has executed an Agreement with the Operator to excavate and remove earthen material to reduce the elevation of the land within the mine site boundary to the pre-determined elevations shown on the predevelopment plan.

## 1.3. Site Location Description

**Figure 1 KB-1 Site Location Map** shows the location of the KB-1 aggregate mining operation being situated in the North 1/2 of Section 22, Township 6 North, Range 1 West of the Gila & Salt River Base Meridian in Maricopa County, Arizona. State Plane coordinates uses projection of NAD83 within zone for Arizona Central and a vertical datum of NAVD88, as GIS datum reference. Using a record boundary area established using an ALTA for the site, a gross area of 162.65 acres is located within 3 larger parcels identified as 503-11-001J (4,791,600 sq ft or 110 acres); 503-11-001D (80 ac) RU-43; & 503-11-001G (100 ac) R1-35 (APN 504-17-001E) that totals about 290 acres.

The exception Parcel Owners are listed below with addresses shown as contact information to use for the public meeting mailers to be distributed, as needed:

### **Exception parcels:**

503-11-001K (NW Owner):  
OTT DUANE/VERONICA  
30705 N 167TH DR SURPRISE AZ 85387

503-11-001F (NE Owner)  
MEESE RICHARD E/MARY M TR  
585 PAJARO LN LITCHFIELD PARK AZ 85340

503-11-001H (S Owner)  
WILHITE JASON/JESS A III  
5311 N TUTHILL RD LITCHFIELD PARK AZ 85340

#### 1.4. Existing Site Conditions and Topography

The parcel that this mine site is located about 3 miles southwest of Lake Pleasant, in Maricopa County, Arizona. This parcel of land is currently located in an undeveloped desert area; bound by public land, under the authority of the Bureau of Land Management (BLM), to the north, south, and west sides, with privately owned land, located within the City of Peoria, to the East. Details of the existing site condition is described below in Table-1.

**Table 1.1 Existing Site Conditions**

<b>Description</b>	<b>Condition</b>
Current use of Property	The property is not being used and consists of vacant undeveloped desert land that is not accessible by any practical means due to the steep topography.
Evidence of past use of Property	No evidence of past uses were observed onsite, with exception of off road vehicle roadways
General description of Property Structures	No structures are onsite or within two miles of the site area.
Physical setting of Property	Terrain is extremely hilly with arroyos and steeply cut slopes extending from the edges of several ephemeral dry wash channels that meander across the site.
Current use of adjoining properties	The adjoining properties consist of undeveloped vacant public and privately owned land.
Evidence of past use of adjoining properties	No past use was evident onsite or near the site.
Current land uses in surrounding area	Undeveloped public land managed by the BLM to the north, west, and east property lines. Three undeveloped parcels of land are shown as exceptions to parcels within the north ½ of Section 22 in Township 6N, and Range 1W
Adjoining Roads	Nearest paved intersection is at the State Route 74 and N. Christian Church Camp Rd. The only public accessible route to get near the site. An 80' ingress and egress easement will be used to access the site from the end of the paved roadway.
Potable water source	None current.
Solid waste disposal	None currently
Sewage disposal source	None observed.

Based on the findings of the Phase I ESA, by Partner Engineering Inc., there were no Controlled Recognized Environmental Conditions (CREC) identified onsite.

Location: Unincorporated area within Maricopa County in the N ½ of Sec 22 T6N R1W

### **1.5. General Overview and Existing Conditions**

The subject aggregate mine site, shown on the attached Site Plan, is proposed for operation within a property that consists of three parcels, owned by a private entity, that consists of undeveloped native desert land. The site is located about 0.8 mile northwest of the intersection of SR74 and North Christian Church Camp Road, as shown on Figure 1 Vicinity Map. The site topography is steep hills that are defined by scoured dry wash channels and arroyos. A native plant survey will be conducted by an independent contractor, to identify endangered and protected plant species that will be relocated to a nursery, prior to commencing excavation activity in any specific areas. This plan supports the post mining land use, per the contract agreement between the Owner of the property and the Mining Operator, as described herein. The existing native vegetation and biological wildlife habitats are described in the following paragraph for the general area of disturbance that will be reclaimed per this proposed plan.

The Project vicinity lies within the Arizona Upland subdivision of the Sonoran Desertscrub vegetation community as described by Brown (1994). Vegetation observed in the project vicinity includes paloverde (*Cercidium floridum*), mesquite (*Prosopis juliflora*), catclaw acacia (*Acacia greggii*), creosotebush (*Larrea tridentata*), snakeweed (*Gutierrezia sarothrae*), burrowed (*Isocoma tenuisecta*), brittlebush (*Encelia farinosa*), barrel cactus (*Ferocactus wislizenii*), ocotillo (*Fouquieria splendens*) and saguaro (*Carnegiea gigantea*). The project site is located within Arizona Game and Fish Department (AGFD) Game Management Unit 20B. This unit is managed for mountain lion (*Felis concolor*), black bear (*Ursus americanus*), mule deer (*Odocoileus hemionus*), javelina (*Tayassu tajacu*), quail (*Callipepla gambelii*), dove (*Zenaida* sp.) and waterfowl.

The property had a Phase 1 Environmental Site Assessment and Cultural Survey conducted, which showed that there were no prior hazardous uses of the property or archeological findings onsite. Since this mine is located on private property and is being excavated for post mining land use that is consistent with the construction of a residential development, then no wildlife habitat or fish are required to be reestablished and therefore are not being encourage within this area after mining activities cease.

## 2. PROPOSED MINE SITE DESIGN

### 2.1. Site Access

The proposed general layout of the site plan is shown below on **Figure 3 General Site Plan**. This Location Map, shown in Figure 1, identifies the access route from Christian Church camp Road to the east property line. Primary access will cross privately owned property within the City of Peoria, east of the site.

An existing 80 feet wide ingress & egress and utility easement, located on the adjacent parcel within the City of Peoria to the east, will provide access for construction of a 24 feet wide haul road that will connect the site to the nearest public paved roadway. This access easement ends at the north end of North Christian Church Camp Road, which extends 0.8 miles north of SR74. This proposed haul road will provide all-weather access to the site. Minor dry wash channels, that form mostly onsite, eventually drain into the Morgan City Wash, north of the mine site area. This wash continues for about 4.7 miles downstream of the site, before discharging into the upper part of the Agua Fria River system, just below the Waddell Dam, that forms Lake Pleasant.

### 2.2. Proposed Active Mine Site Area

Based on prior reconnaissance and findings, it was determined that this site is a good source for mining of aggregate materials that will be used for construction and landscape purposes. Mining operations will use best management practices (BMP) for the duration of mining activities. This will include construction of first flush stormwater basins prior to commencing any mining excavation and will be placed upstream of historic points of discharge along the mine site boundary, as shown in **Exhibit A Watershed Map**. An established mine site boundary represents the ultimate disturbed area, located inside a 50-foot wide buffer zone from the adjacent property, which is currently public land managed by BLM. This is shown on the attached exhibits as the Mine Site Boundary. There will be no adverse effect to adjacent property. These basins will capture the sediment load in stormwater runoff and will meet or improve the historic flow conditions at each points of discharge, prior to any mining activity onsite. After plants are removed from a specific area, before starting phased operations, and the surface will be prepared by clearing and grubbing. A 3-foot earthen berm, with boulders stacked along the outer face, will create the perimeter, that is formed during clearing and grubbing, of the active mining area. This berm will also deter unauthorized access along with frequent signs posted in clearly marked locations adjacent to access points to warn of the mine site and prevent trespassing.

### **2.3. Proposed Mining Operation Description**

All mining work will be performed with portable equipment that is brought to the site, as needed, to facilitate the demand for the product.

### **2.4. Equipment Used**

Equipment needs are currently estimated to include the following:

#### **Stationary equipment used onsite:**

- 30/42 Jaw Crusher
- 200 HP Cone Crusher
- C15 Generator
- 8x20 Screen
- 7 Conveyors
- Grizzly Feeder (Vibrating)
- Rip Rap plant (part time operation)

#### **Mobile equipment used for open strip excavation:**

- D-9+ Bulldozer
- 4000 gal Water Truck
- Front Loader
- Dump Truck

### **2.5. Onsite Services**

Hard rock surface extraction of aggregate material will require setting up a processing area, that includes a crusher and a series of screening sieves and conveyors to separate rock sizes prior to storing materials in a designated stockpile area, as shown on the attached Mining Unit Disturbance Plan. General facilities related equipment include a truck scale and temporary office, as located on the Site Plan. A refuse service will remove the onsite waste generated every 2 weeks from a locked waste bin. The haul road and parking area shown on the Site Plan will be graded and composed of crushed rock (2" minus) as dust free cover material. Dust control emissions are strictly enforced by the Mine Site Operator to meet Maricopa County Air Quality Control department requirements that will follow an approved dust control plan.

## **2.6. Control of Operations**

Stockpiled materials processed from the site will include various colored landscape rock and aggregate materials. Extracted material will only be sold wholesale in full truckload lots. The work will be completed in smaller manageable phases of about 5 acres for each area of active hard rock extraction operations over a 20-year period.

As the operation expands, then the previous area is completed using Best Management Practices (BMP), applied as necessary to meet ADEQ NOI requirements. As the demand increases with operations, new stockpiling and equipment needs will be assessed and organized to function as an optimized operation. Most of the mining activity involves excavation using a D-8 dozer; however, some blasting may be required in areas too hard to excavate. In such cases, blasting will be strictly controlled by an independent licensed contractor and will occur below the ground surface. After each specific area is mined, the operator will reclaim the disturbed area and stabilize as necessary. This process will be repeated throughout the project area and will continue to evolve with the growth of the operation. Access to the active mine area will be strictly controlled and limited to operating employees only. A perimeter will always be maintained with onsite security monitoring the equipment and active mining areas.



### 3. RECLAMATION AND CLOSURE PLAN

The overall future limits of disturbed areas shown on Exhibit C Reclamation Plan.

Mining operations will occur on 5 acres of land, in an active mine area, until the entire site, estimated to be roughly about 160 acres, is completed within a 20-year period. At the termination of the mine site activity, the entire mine area will meet the conditions described per the agreement between the Owner and Operator and this approved Reclamation Plan. Procedures described herein are required to release the bond amount after the closure is completed to the satisfaction of the ASMI office Operator and is administered by ASMI. Onsite conditions need to also satisfy the requirements set forth in the agreement established between the Owner and the Mine Site Operator.

The owner will be responsible for maintaining the reclaimed area on the property upon full closure. Minimum maintenance activity would include:

1. Monitoring onsite and offsite areas for excessive erosion
2. Logging events and any erosion mitigation efforts
3. Keeping channels clear of debris and sedimentation (before and after a storm event)
4. Controlling onsite erosion using the BMP methods described by MCFCD,
5. Removing accumulation of sediment in first flush basins,
6. Maintaining the outlet control structures integrity to perform as designed
7. Monitor downstream flow conditions during and after storm events.

These actions support good housekeeping BMP methods and determine if there are any additional modifications required to adjust control structures as necessary.

After the completion of the mining operation on this site, it is expected that the site will be used for a large-scale single-family housing development under a separate permit.

The site will be safely secured from public access as deemed appropriate by the Owner of the property and any other jurisdictional restrictions placed on this site.

All overburden stockpiles will be removed by spreading the remaining material in manner that will blend with adjacent landscape and preserve the integrity of the cover material by minimizing erosion and promote revegetation by hydroseeding with naturally occurring species of native plants. Hydroseeding will be incorporated into the closure process as a method to mitigate local erosion from sheet flow runoff in areas of freshly deposited material. This method combined with other methods, such as lateral scarification of fill slopes and rounding transition areas using the appropriate BMP strategy. Hydroseeding will promote retention of fine material that may collect on the aggregate rock surface and effectively perform as temporary erosion control until a

portion of local perennial plant species is re-established. A robust variety of local plant species will be selected, depending on the season in affect during closure. Hydroseeding will be evenly distributed over the exposed aggregate surface to promote growth that will sustain an interim post-mining condition until final land development is initiated by the Owner. Owner may improve upon the selected reclamation action but shall do so at their own cost.

Rock cuts may be filled to a final slope of 2:1 with terraced bench landings every 10 feet vertical of open slope face on loose material. Each bench will have a 5% reverse slope, at a minimum of 4 feet wide, to reduce collusion of loos rock material and erosion from rainfall runoff captured along the slope and conveyed by channels directly into the first flush sedimentation basins, per this Reclamation Plan. The Operator is responsible for submitting and maintaining an Erosion Control Plan that uses BMP during the mine activity, as part of the Notice of Intent (NOI). Haul road areas will be scarified and covered to promote natural growth of grasses seeded, unless maintained as a temporary access road, as shown on the Post-Mining Reclamation Plan, shown in Appendix C.

### 3.1. Estimated Reclamation Costs

As material is sold, mining operations will progress in small phases. In each phase of operations is separated into safe zones away from mobile circulation areas. These areas will include mining excavation, processing, and stock piling areas. Final reclamation surface cover material is the remaining finished grade that will naturally consist of crushed rock aggregates. This helps protect against soil erosion and dust control as mining in each area is completed and the area is reclaimed.

### 3.2. Termination of Mining Activity

An agreement is currently in place for finishing the aggregate mining operation suitable for the post mining land use, as defined herein. Additionally, as stated in the report, the nature of the aggregate mining proposed is not to create a pit but to remove (mine) existing hills and provide 2:1 slopes at all transitions to existing terrain.

In the event that Lessee does not finish the mining activity, either due to economic conditions or failure to perform its obligations under the agreement with the owner, the Lessee has modified the Reclamation Plan to identify the reclamation requirements that necessary to close the site, based on the following sections.

#### 3.1. Earthwork

Worksheets are provided in **Appendix B** which identifies the earthwork reclamation cost of this unlikely abandonment condition. As the mining operation progresses the mine face may be exposed and some piles of aggregate may exist (however it is significant to note that the aggregate which is mined has significant value and if not sold by the Lessee, due to abandonment, the Owner would have the right to sell the aggregate or use it for the post land use proposed residential development. Estimates for costs to operate and rent earthmoving equipment, needed for finished grading of this site to a reclaimed condition, assumed an average operator of a D8 Dozer for grading slopes along a 1:1 rock face to a 2:1 slope. Costs associated with this activity are include in **Appendix B**.

#### 3.2. Removal of Equipment / Facilities and Value of Equipment

**Appendix B** also provides the estimated cost of removal of equipment from the site. However, as stated in the reclamation plan, the Lessee's mining equipment has a significant value. The estimated value of the equipment is also provided in **Appendix B – Value of Aggregate Mining Equipment**.

It is extremely unlikely that the Lessee would abandon its mining equipment in light of its value, and if the equipment was abandoned by the Lessee the Lessor/Owner would seize the equipment. The value of the equipment far exceeds all reclamation costs. Therefore, it is not reasonable to provide for a reclamation cost associated with the removal of the equipment.

### 3.3. Stabilization & Erosion Control

As identified in the Reclamation Plan, the Lessee will implement an Erosion Control Plan (ECP), to contain sediment and prevent erosion. This plan will be implemented prior to the construction / mining activity. The ECP plan will be implemented on this site and maintained and renewed, as required, throughout the duration of this mining operation. This ECP addresses preliminary controls to mitigate potential erosion as mining activity is anticipated. This is the responsibility of the operator to establish these controls and maintain them.

Routing of runoff generated during operations will have appropriate Best Management Practices (BMP's) applied in a concerted effort to minimize potential for erosion. The ECP document is a live document requiring changes as site conditions change and mining progresses; therefore, some ECP measures may need to be implemented in the event of closure. A cost estimate for reclamation to complete these reclamation measures is provided for in **Appendix B**.

Each delineated area of drainage was analyzed at concentration points along the flow channels were identified at locations shown on Watershed Boundary and Proposed Drainage Plan as **Exhibit A**. Current runoff conditions will be mitigated with this plan, shown for the finished grade topography.

### 3.4. Finished Topography

(The post mining topography is shown on Exhibits A & C)

The post mining land use is anticipated to be single family, medium density, residential homes in the lower areas created close to the Owner's required elevations. The Owner will need to construct infrastructure and rough grade to meet the soil conditioning and drainage requirements prior to constructing new homes. The property owner is in the process of completing a concept land use plan for the proposed development but has provided topographic elevations for the mass grading portion of the project. However, the finished grades are shown on the Post-Mining Reclamation Plan included as **Exhibit C**. All retention basins are designed to capture the first flush runoff from the mine site and discharge at historic outfall locations as shown on the Watershed Map included as **Exhibit A**. The overall runoff coefficient for post mining conditions will change and will provide some attenuation of peak runoff flows generated from this site from each basins lag time. Diminishing the slope of these mountains helps improve conditions of runoff by reducing

the velocity of flow with a moderate slope and the large footprint of the first flush basin decrease the rate at which the peak wave passes through each channel within the system, before reaching the historic outfall.

### **3.5. Operation Duration**

Scheduling for the KB-1 Aggregate Mining operation is to begin in December 2021. The duration of this mining operation is projected to be about 20 years. However, the actual schedule will depend on product demand. Therefore, the duration of the mining operation may be longer or shorter. As stated above, the nature of the proposed mining operation is that the site is reclaimed as the mining operation progresses, since the final reclaimed cover consists of various aggregate rock sizes, of which the final mining surfaces are composed. Each smaller phase area will maintain ECP controls by applying temporary and permanent BMP methods to reclaim an area before moving to the next area of expansion. This progression of work will continue for each excavation area and equipment will be removed from the site as the operation closes out. Once the mining operation is complete and all specified mining related equipment is removed, then final stabilization and reclamation will be implemented.

At a minimum, reclamation requirements are described herein and followed, per the attached plan. Demobilization, to remove any remaining equipment, will occur after all work is completed. No additional site work or reclamation procedures are anticipated after final demobilization. The mine operation is complete when all mine equipment is removed from the site. Demobilization will only be allowed after leaving a finished graded surface condition that meets all jurisdictional agency's requirements, prior to beginning revegetation or final surface stabilization processes of the reclaimed cover material.

To effectively close the site, all applicable permanent BMP's will be completed once final soil stabilization is established within 4 to 6 months of the actual date of termination of mining activity, currently expected to occur around December 2041. Reclamation activity shall then cease by July of 2042.

## 4. CONCLUSIONS

The proposed mining activity is unique with respect to its setting and conditions and it is reasonable that the intent of ARS 27-1271(11) be interpreted and applied in view of its unique setting and conditions. In particular, the land is private, the Lessee and Owner (Lessor) have an agreement in place to complete the project. **Exhibit C** shows the Post-Mining Reclamation Plan as the finished permanent finished grade surface, as completed in small phases. This plan is consistent with the final reclamation cover, per a binding contract agreement with Owner. This plan is consistent with the post-mine land use within the mine site area, shown in **Exhibit D** Post-Mine Land Use map. This land use is based on the Owners agent's representation of the future development, that is subject to change. The value of the mining equipment, facilities, and appurtenances represent over \$2.7 million dollars, exceeding the estimated cost of all reclamation costs, as shown in **Appendix B**.

However, in the unlikely event that the Lessee does not finish the mining activity and reclamation and closure for any reason, the Lessee has identified the associated reclamation costs, herein. In such an event a bond will be provided as identified in this Reclamation Plan. The Lessee has identified the reclamation cost for such an event, as provided in **Appendix C** Reclamation Bonds Summary Worksheet. The grand total bond amount is **\$541,410**.

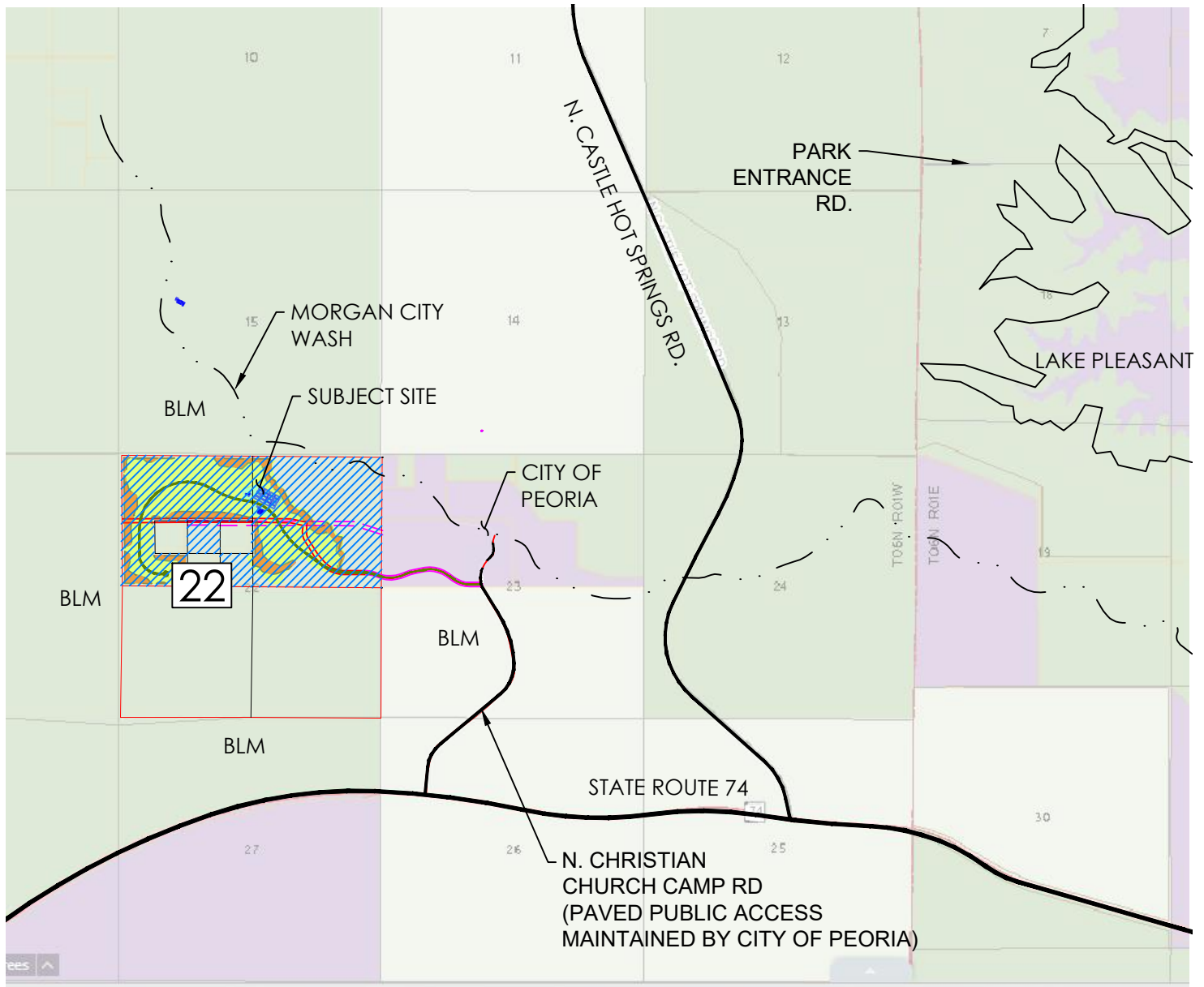
*(The Statement of Responsibility is provided in **Appendix A**)*

## **5. REFERENCES**

1. Arizona State Mine Inspector, Aggregate Mining Unit Reclamation Plan Guidelines, Division of Mined Land Reclamation, August 2007.
2. Bureau of Land Management, Arizona State Office, *Arizona Mining Permitting Guide, 1st Edition*, May 2011
3. Caterpillar Performance Handbook, June 2018

## Figures

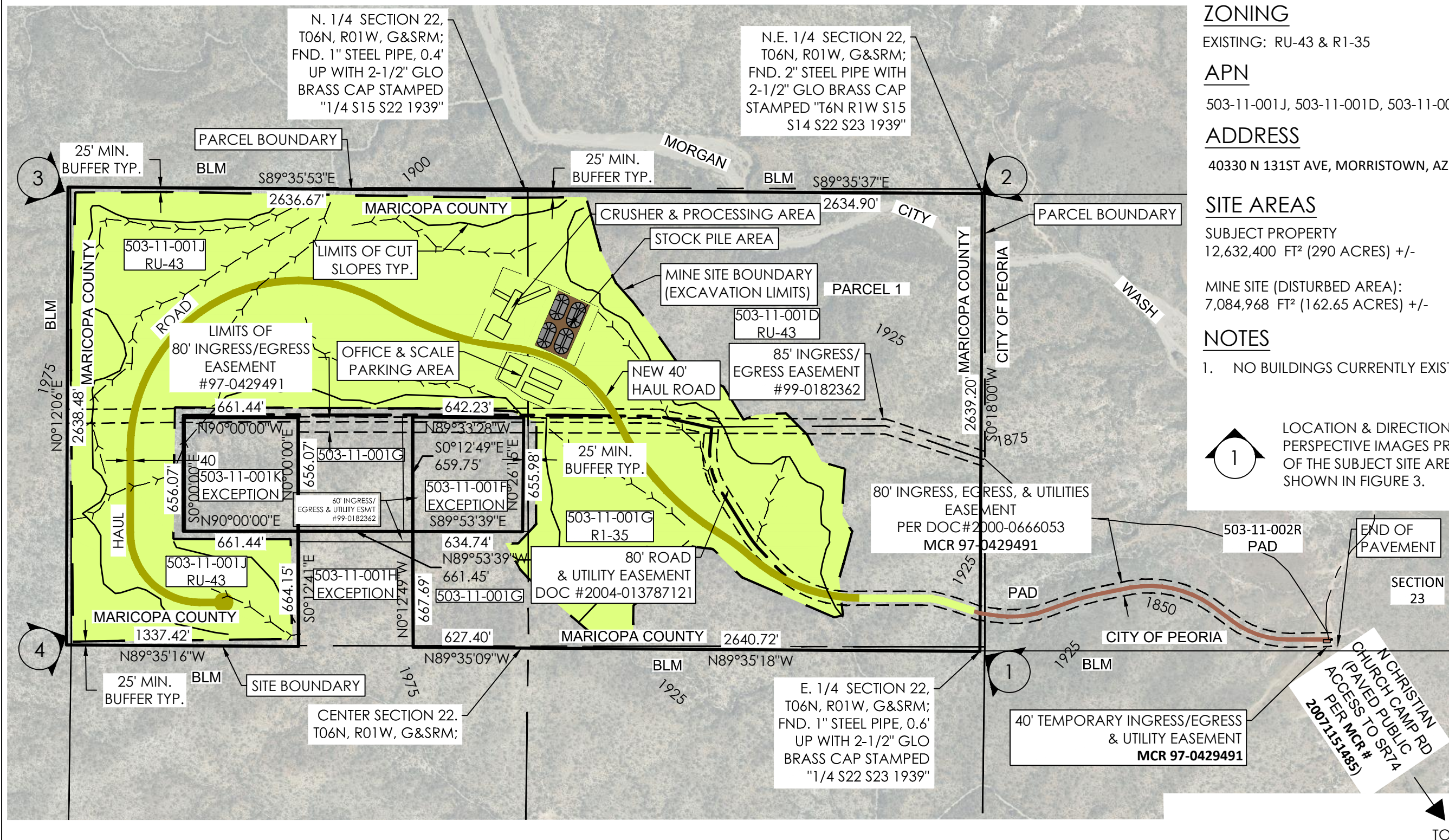




NORTH 1/2, SECTION 22, T.6N. R.1W., G.&S.R.M.  
VICINITY MAP  
 N.T.S.

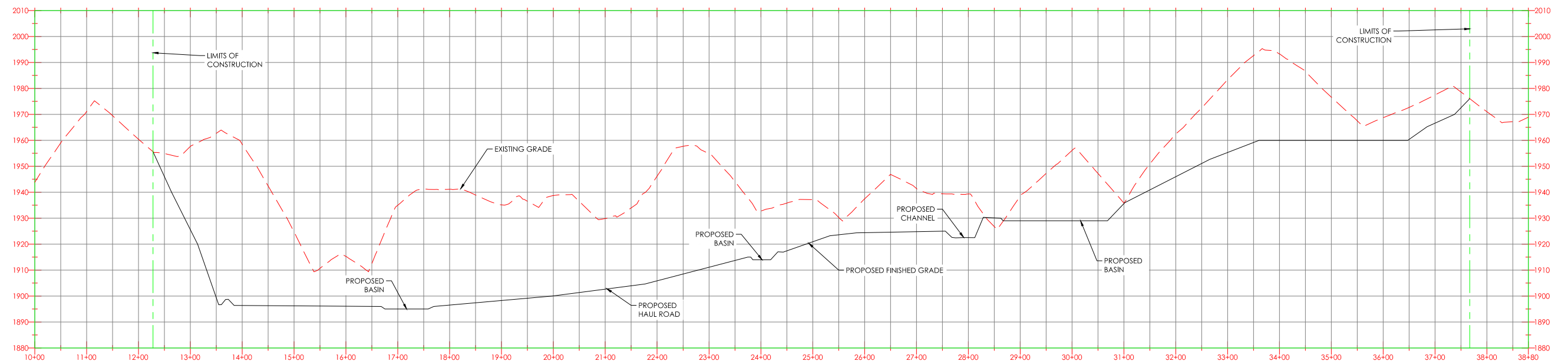
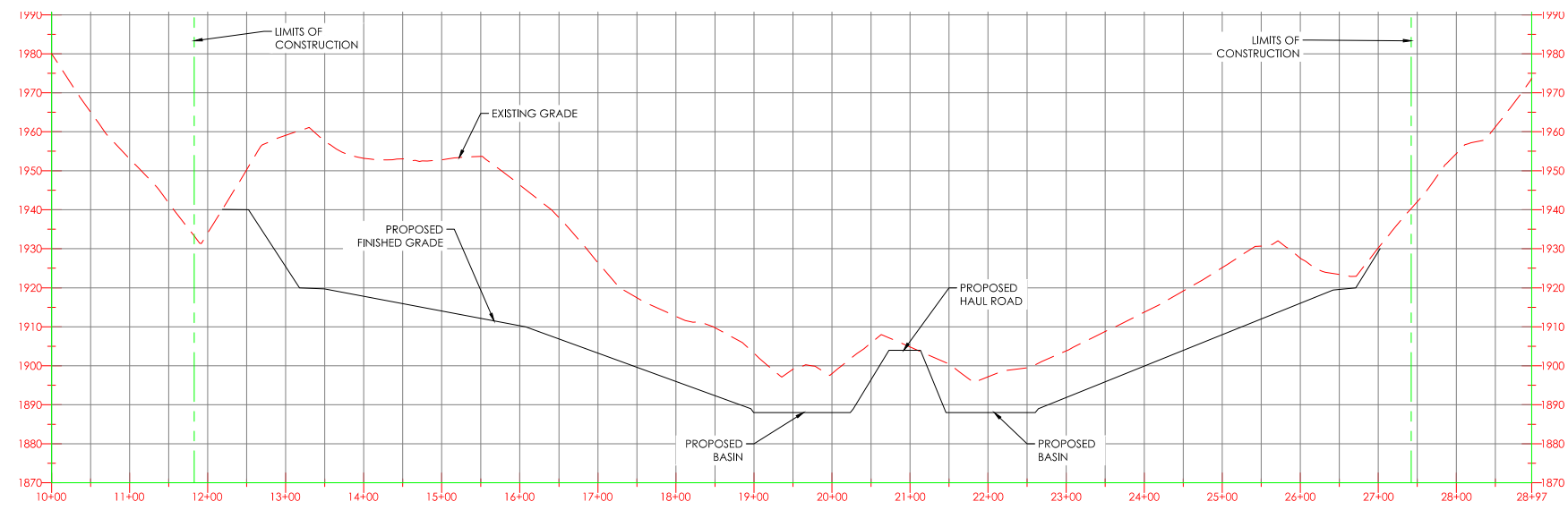
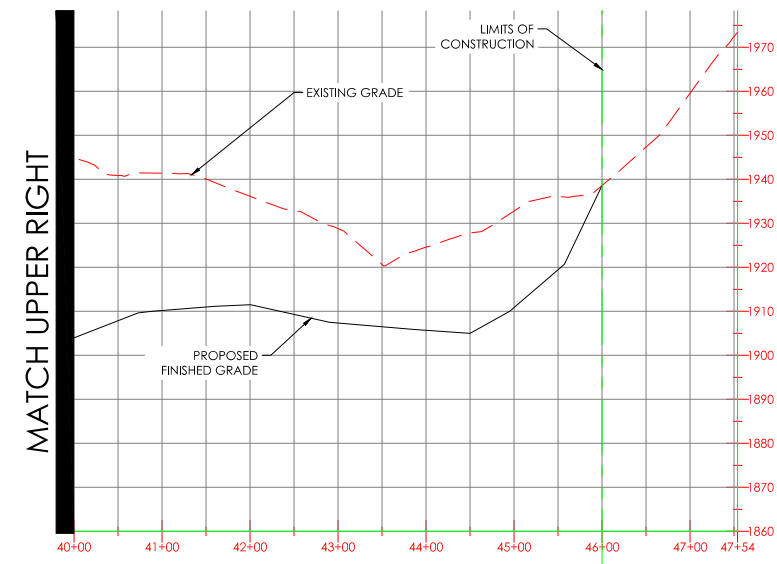








\\VESPRO\csd\501\DrawEng\Jobs\21003\KB1 Aggregate Mine\CAD\DESIGN\21003-SECTIONS



NOTE: SEE SECTION LOCATIONS SHOWN ON  
EXHIBIT C - MINING RECLAMATION PLAN

REVISIONS	

**KB-1 AGGREGATE MINE SITE**  
40330 N 131ST AVE MORRISTOWN, AZ 85342  
MINING RECLAMATION SECTIONS

--

PROJECT NO:	8/26/21
DRAWING DATE:	WF
DRAWN BY:	BF
CHECKED BY:	AS NOTED
DRAWING SCALE:	21003-SECTIONS
DRAWING FILE:	

## APPENDICES

Appendix A: Reclamation Statement of Responsibility

Appendix B: Cost Estimates and References

Appendix C: Reclamation Bond Summary Worksheet

Appendix A  
Reclamation Statement of Responsibility

**Reclamation Statement of Responsibility**

Custom Landscape Materials, LLC assumes responsibility for the reclamation of surface disturbances that for the KB-1 Aggregate Mine are attributable to the aggregate mining operation consistent with this Reclamation & Closure Plan, pursuant to Arizona Revised Statutes (A.R.S. Chapter 6) A.R.S. § 27-120 I et seq., and any promulgated rules, in A.C.C. Title 11, Chapter 3.

All areas that have been disturbed at the KB-1 Aggregate Mine site will be reclaimed to a safe and stable condition, before and directly after mine operations conclude, and Custom Landscape Materials, LLC will maintain financial assurance as needed per A.R.S. § 27-1291 and A.R.S. § 27-1292, to carry out the required reclamation as hereby stated per A.R.S. § 27-1271 (B)(2).

In witness whereof, Custom Landscape Materials, LLC, as Lessee of the KB-1 aggregate mining operation, has hereunder caused its name signed and the same attested by the signature of, Sam Schippers, Vice President of Custom Landscape Materials, LLC, thereunto authorized this 20 day of AUGUST, 2021.

Custom Landscapes Materials, LLC.

its Vice President

By:

Signature

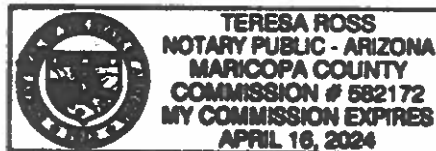
Name: Sam Schippers

Title: Vice President

**ACKNOWLEDGMENT**

State of ARIZONA )  
 ) S.S.

County of MARICOPA )



On this 20 day of AUGUST 2021, before me, the undersigned notary public, personally appeared Sam Schippers, who acknowledged self to be the Vice President of Custom Landscapes Materials, LLC, that being duly authorized to do so, executed the foregoing, Statement of Responsibility for the purposes therein contained by signing his name and executed the foregoing the Statement of Responsibility.

The purposes therein contained.

In witness whereof, I have hereinto set my hand and official seal.

Notary Public

Date

08/20/2021

My commission expires: APRIL 16, 2024

## Appendix B

### Cost Estimates and References



## ENGINEER'S ESTIMATE OF PROBABLE CONSTRUCTION COSTS

**KB-1 Aggregate Mine - Reclamation Estimate**

**DATE:**

**8/25/2021**

WORK ACTIVITY	QUANTITY	UNIT	UNIT PRICE		TOTAL
<b>EQUIPMENT REMOVAL</b>					
Removal of Debris and/or Waste	1	LS	\$550.00	\$/LS	\$550
Removal of Stationary Mining Equipment (5 units)	1	LS	\$1,806.00	\$/EA	\$1,806
Removal of Grading Equipment (5 units)	1	LS	\$3,145.00	\$/EA	\$3,145
Removal of Accessory Equipment	3	EA	\$325.00	\$/EA	\$975
<b>SUBTOTAL =</b>					<b>\$6,476</b>

### **EARTHMOVING**

Cut / Fill (grading of in-place material)	0	CY	\$3.00	\$/CY	\$0
Rock Excavation	0	CY	\$20.00	\$/CY	\$0
Fill and Sloping of Rock Faces to 2H:1V	1,912	CY	\$3.00	\$/CY	\$5,736
<b>SUBTOTAL =</b>					<b>\$5,736</b>

### **LANDSCAPING**

Landscape (including irrigation)	0	SF	\$2.50	\$/SF	\$0.00
Landscape (including irrigation)	0	SF	\$1.50	\$/SF	\$0.00
<b>SUBTOTAL =</b>					<b>\$0.00</b>

### **SEDIMENT / EROSION CONTROL**

Diversion Berms / Channels	0	LF	\$105.00	\$/LF	\$0
Rip-Rap Stone	0	Ton	\$70.00	\$/Ton	\$0
Temporary Cover (seed, mulch, d.g., etc.) adjusted for slope and channel areas.	101	Acres	\$3,500.00	\$/Acre	\$352,388
<b>SUBTOTAL =</b>					<b>\$352,388</b>

<b>PROJECT TOTAL =</b>	<b>\$364,600</b>
------------------------	------------------

		Cost Index	1.17
Previous 5-year equivalent price...	\$310,600.00	Adjusted total cost	<b>\$427,990</b>
Cost Worksheet A-2 Summary:			
	Mob/demob	1%	\$4,280
	Contingencies	3%	\$12,840
	Engineering redesign fees	3%	\$10,700
	Contractor Profit	10%	\$42,800
	Project Management	10%	\$42,800
<b>Sub Total</b>			<b>\$113,420</b>
<b>Overall Total</b>			<b>\$541,410</b>





## 2020 ADOT Bid Tab

8050003	ACRE	SEEDING (CLASS II)				
Bid Rank	Department Estimate		24.000	\$3,500.000	\$84,000.00	
1	GRANITE CONSTRUCTION COMPANY			\$4,129.000	\$99,096.00	+18.0%
2	FISHER SAND & GRAVEL CO. DBA SOUTHWEST ASPHALT PAVIN			\$4,000.000	\$96,000.00	+14.3%
3	FNF CONSTRUCTION, INC.			\$4,250.000	\$102,000.00	+21.4%

## CONSTRUCTION BOND INFLATION INDEX 5YR

**CPI Inflation Calculator**

\$

in 

July

2021

has the same buying power as

in 

July

2016

Calculate

## KB-1 Aggregate Mine Reclamation Data Worksheet

### B.1 Site Characterization:

Parcel Area: 12,598,257.95 SF  
289.22 AC  
Mining Area: 7,084,968 SF  
162.65 AC

Mine Operations (1):	Qty	Units	Reference
			Verified Source
			1) Production rates calculated independently by Client
<u>Hours of operation: (M-F) (2)</u>			
Summer (5am to 3pm)		10 hr/d	8 hr working
Winter (6am - 4pm)			Operator Statement
<u>Disturbed Area for Mine Operations</u>			
Total Disturbed Area	7,084,968 SF	162.65 AC	Measured
Mining Stock Pile Area	167,350 SF	3.84 AC	Measured
			6.76
Sediment/first flush basin areas	314,240 sf	7.21 AC	Measured
Channel Areas	612,800	14.07 AC	Measured
Cut Slope Areas (>10%)	1,367,865 sf	31.40 AC	Measured
Total Disturbed Area for hydroseed/stabilization	4,495,663 sf	103.21 AC	Calculated
Processing and yard areas	104,990 SF	2.41 AC	Measured
Permanent Onsite Haul Road (7,360 ft)	294,400 SF	6.76 AC	Additional scarification and reseeded
<b>Estimated Annual Rate of Production (ARP):</b>			
Adjusted Total Volume produced (87% usable)	6,003,600 CY (CUT)	6,980,930	(See ER01 Plans)
Total Weight of Excavation	12,007,200 Tons		
<b>Average mining rate</b>			
	2320 Ton/d	290 tons per hr	
& Sales Rate (Wholesale)	30 KTon/mon	3	
	605520 Ton/yr	50460 ton/month	
<b>Estimated Duration</b>	19.83 Yr	start	finish
		12/26/2021	10/19/2041
			work days
			5170
Yeilds=>	11,994,400 tons processed	100% complete	

<u>Facility and Structural Removal</u>	Qty	Units	Cost/unit	Total Cost	Reference Verified Source
Remove Accessory units		6 Units	Ref App B.2		ADOT Bid Tab Review
<u>Earth Moving</u>	Qty	Units	Cost/unit	Total Cost	Reference Verified Source
See App B2- B3					
<b>Revegetation</b>					
Seeding (class 2)		103.21 AC	\$3,500.00	\$ 361,222	ADOT Bid Tab Review

Appendix C  
Reclamation Bond Summary Worksheet

Project: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Prepared by: \_\_\_\_\_

# **WORKSHEET 16** **RECLAMATION BOND SUMMARY SHEET**

1. Total Facility and Structure Removal Costs \$ \_\_\_\_\_
2. Total Earthmoving Costs \$ \_\_\_\_\_
3. Total Revegetation Costs \$ \_\_\_\_\_
4. Total Other Reclamation Activities Costs \$ \_\_\_\_\_
5. Total Direct Costs \$ \_\_\_\_\_  
 (sum of Lines 1 through 4)
6. Inflated Total Direct Costs \$ \_\_\_\_\_  
 (Line 5 x inflation factor \*)
7. Mobilization/Demobilization (\_\_\_\_% of Line 6) \$ \_\_\_\_\_  
 (1% to 10% of Line 6)
8. Contingencies (\_\_\_\_% of Line 6) \$ \_\_\_\_\_  
 (3% to 5% of Line 6)
9. Engineering Redesign Fee (\_\_\_\_% of Line 6) \$ \_\_\_\_\_  
 (2.5% to 6% of Line 6)
10. Contractor Profit/ Overhead (\_\_\_\_% of Line 6) \$ \_\_\_\_\_  
 (see Graph 1)
11. Project Management Fee (\_\_\_\_% of Line 6) \$ \_\_\_\_\_  
 (see Graph 2)
12. Total Indirect Costs \$ \_\_\_\_\_  
 (sum of Lines 7 through 11)
13. GRAND TOTAL BOND AMOUNT \$ \_\_\_\_\_  
 (sum of Lines 6 and 12)

\* Inflation factor =  $\frac{\text{ENR Construction Cost Index (CCI) for current mo/yr}}{\text{ENR CCI for mo/yr 5 years prior to current mo/yr}}$  = \_\_\_\_\_ = \_\_\_\_\_

Identify current month/year used in formula above: \_\_\_\_\_

Identify prior month/year used in formula above: \_\_\_\_\_

ENR = *Engineering News Record*, McGraw-Hill Construction Information Group, New York, NY; <http://www.enr.com>.

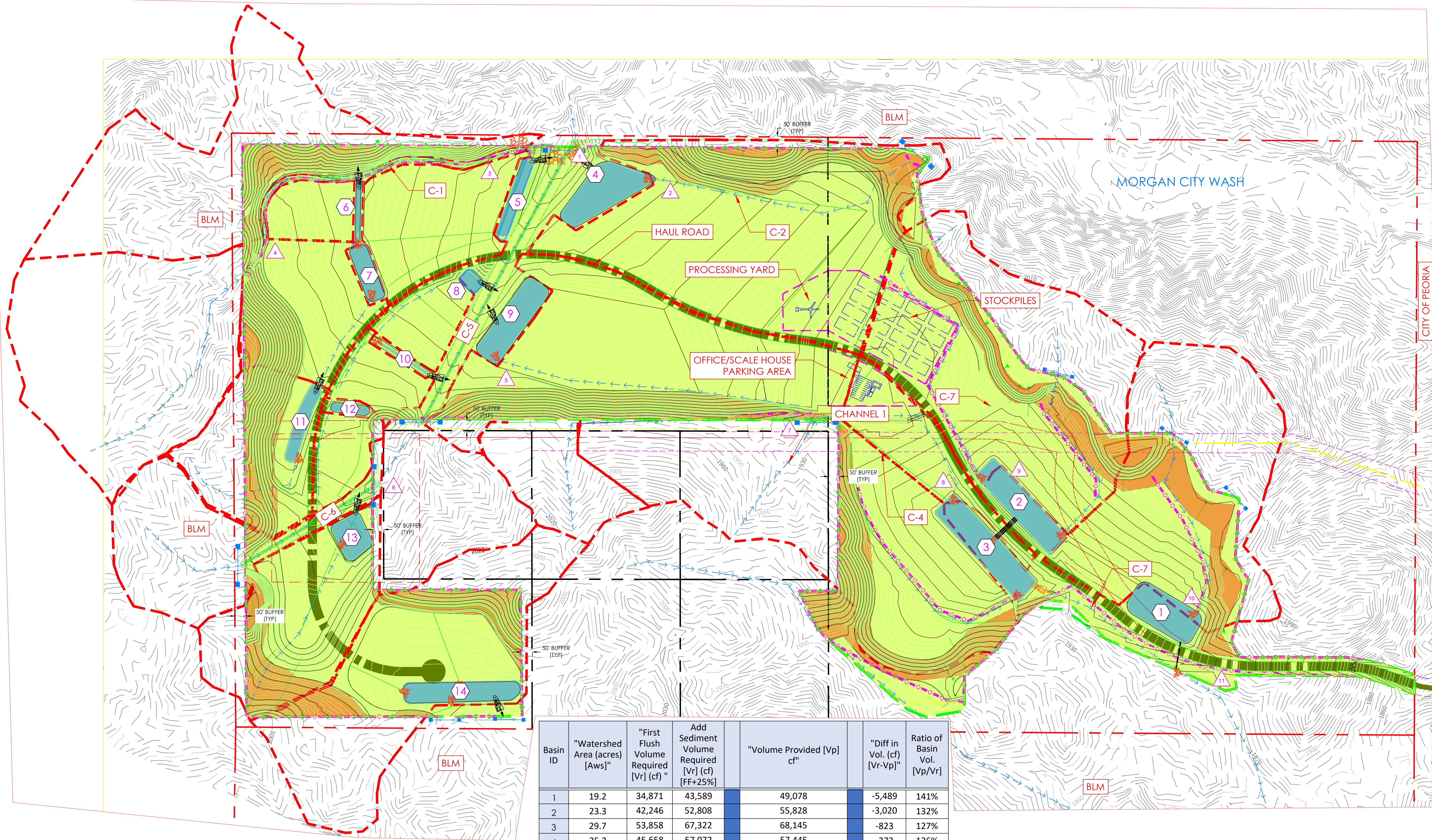
Formula assumes permit term or time until next bond adequacy evaluation is 5 years. Adjust timeframe as necessary.

## Exhibit A

### Watershed Boundaries and Proposed Drainage Plan



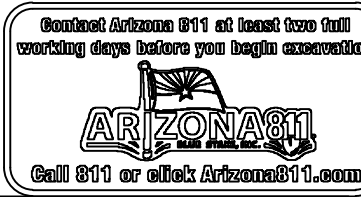
\\VESPRO-FS-01\DevEng\Jobs\21003\_KB1 Aggregate Mine CAD\DESIGN\21003.FG



Basin ID	"Watershed Area [A <sub>ws</sub> ]"	"First Flush Volume Required [V <sub>r</sub> ] (cf) "	Add Sediment Volume Required [V <sub>r</sub> ] (cf) [FF+25%]	"Volume Provided [V <sub>p</sub> ] cf"	"Diff in Vol. [V <sub>r</sub> -V <sub>p</sub> ]"	Ratio of Basin Vol. [V <sub>p</sub> /V <sub>r</sub> ]
1	19.2	34,871	43,589	49,078	-5,489	141%
2	23.3	42,246	52,808	55,828	-3,020	132%
3	29.7	53,858	67,322	68,145	-823	127%
4	25.2	45,658	57,072	57,445	-373	126%
5	7.3	13,224	16,530	17,785	-1,255	134%
6	2.5	4,608	5,760	6,915	-1,155	150%
7	7.1	12,947	16,183	21,042	-4,858	163%
8	2.3	4,211	5,263	5,392	-129	128%
9	19.6	35,574	44,468	49,375	-4,907	139%
10	2.3	4,183	5,228	7,303	-2,075	175%
11	7.6	13,879	17,348	20,500	-3,152	148%
12	2.5	4,623	5,779	6,168	-388	133%
13	10.3	18,757	23,447	24,023	-576	128%
14	18.6	33,679	42,099	45,550	-3,451	135%
	177.6	322,318	402,898	434,548	-31,650	135%

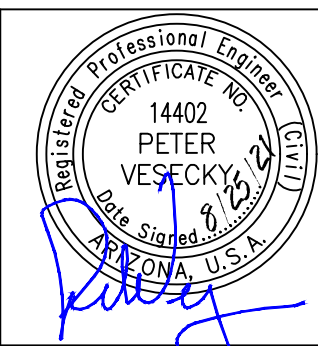


NORTH  
SCALE: 1" = 180'  
CONTOUR INTERVAL = 10'



REVISIONS

**KB-1 MINE AGGREGATE MINE SITE**  
40330 N 131ST AVE MORRISTOWN, AZ 85342  
WATERSHED BOUNDARIES AND DRAINAGE FEATURES



PROJECT NO:	8/20/21	WF	BF
DRAWING DATE:			
CHECKED BY:			
DRAWING SCALE:			AS NOTED
DRAWING FILE:			21003.FG

EXHIBIT

A

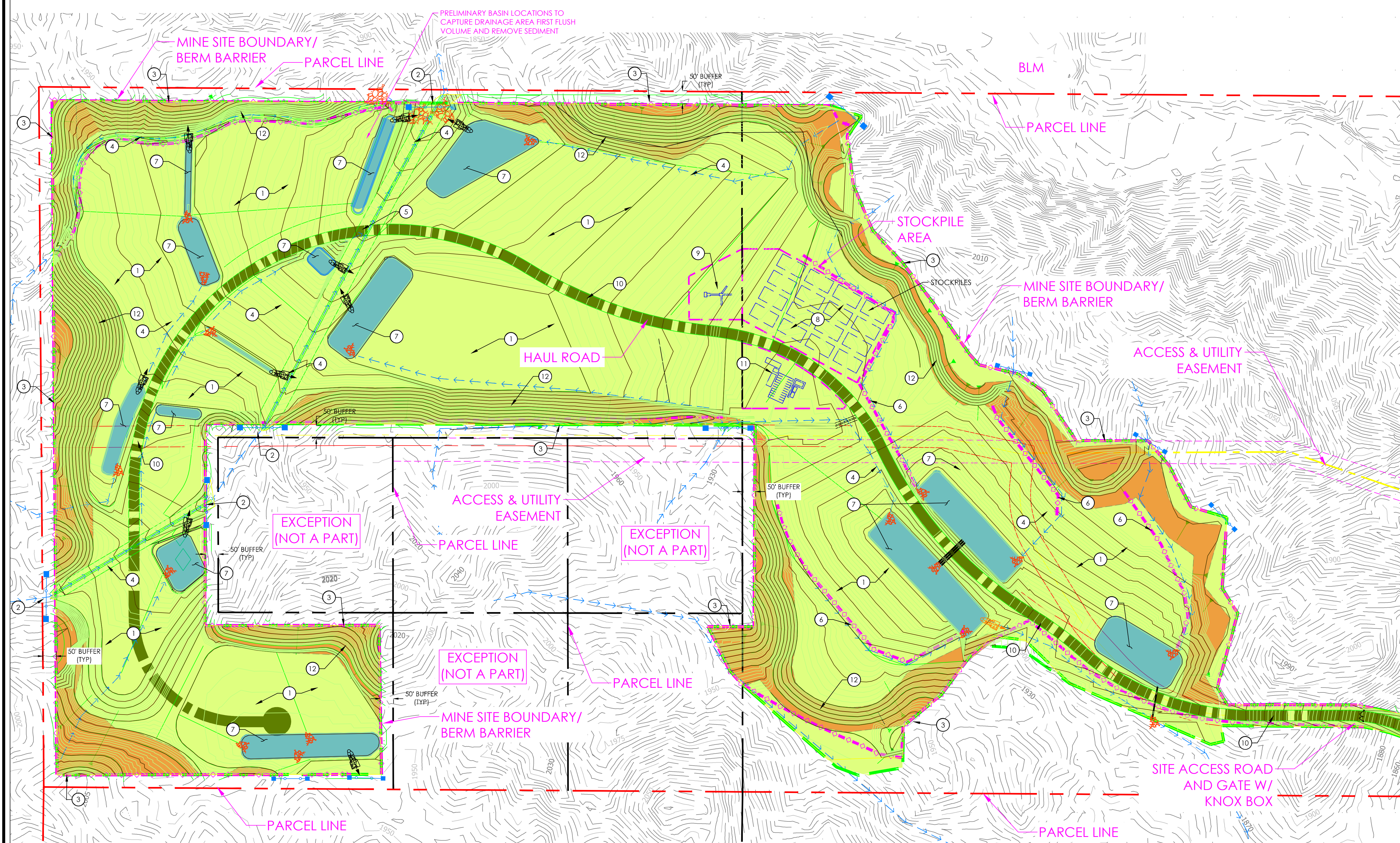


## Exhibit B

### Mining Unit & Disturbance Plan



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# MINE UNIT FEATURE NOTES

#	DESCRIPTION	TOTAL UNIT QTY
1	LOWER LEVEL GRADED EXCAVATED AREAS	101 AC
2	BREAK AWAY 8X8 WIRE MESH FENCE PLACED ACROSS WASH AREA TO RESTRICT ACCESS. WARNING AND NO TRESPASS SIGN MOUNTED.	480 LF
3	BERM& BOULDER BARRIER (3' MINIMUM HEIGHT AND 3:1 SS)	10,560 LF
4	ONSITE DRAINAGE CHANNEL	1800 LF
5	LOW WATER EQUIPMENT CROSSING (20' BOTTOM, 20:1 SIDE SLOPE) W/ PEAK RUNOFF DEPTH <12".	1750 SF
6	SEDIMENT FILTRATION BERM S	3400 LF
7	SEDIMENT/FIRST FLUSH BASINS WITH OVERFLOW WEIR OUTFALL AND RIP RAP CHECK DAM	7.2 AC
8	STOCKPILE STORAGE AREA	3.8 AC
9	EQUIPMENT STAGING AND STORAGE PROCESSING AREA	1.4 AC
10	ONSITE HAUL ROAD WITH DUST PALLIATIVE OR ROCK BASE COVER	6.76 AC
11	PORTABLE YARD OFFICE AND TRUCK SCALE	2100 SF
12	CUT SLOPE (GRADE 2:1 MAXIMUM)	31.40 AC

## NOTES:

- 1) SEE EXHIBIT C FOR MORE DETAILS.
- 2) ALL MEASURED DATA IS SUBJECT TO ONSITE CONDITIONS AND MAY VARY FROM MEASURED DATA IN THE FIELD.
- 3) DATA IS APPROXIMATE AND BASED ON GIS CONTOURS AND DIGITIZED SURFACE INFORMATION. USE FOR ESTIMATING PURPOSES ONLY.
- 4) BOUNDARIES SHOWN ARE APPROXIMATE AND ARE BASED ON ALTA AND INFORMATION FROM THE MARICOPA COUNTY ASSESSOR'S ONLINE MAPS FOR PROPERTY DATA. USE FOR REFERENCE ONLY.

## LEGEND

- - - - - PROPERTY LINE
- - - - - LIMITS OF DISTURBANCE
- - - - - MINE SITE BOUNDARY
- - - - - BERM BARRIER
- - - - - PROPOSED CHANNEL FLOW
- - - - - AGGREGATE MINING AREA
- - - - - CUT SLOPE(>10%)
- - - - - FIRST FLUSH SEDIMENT BASIN



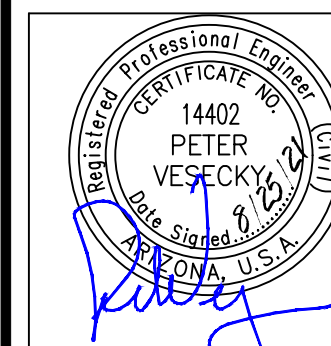
NORTH  
SCALE: 1" = 180'

CONTOUR INTERVAL = 10'



REVISIONS

# KB-1 AGGREGATE MINE SITE 40330 N 131ST AVE MORRISTOWN, AZ 85342 MINING UNIT DISTURBED AREA PLAN



PROJECT NO:	8/23/21	WF	BF	AS NOTED	21003 FG
DRAWING DATE:					
DRAWN BY:					
CHECKED BY:					
DRAWING SCALE:					
DRAWING FILE:					

EXHIBIT

B

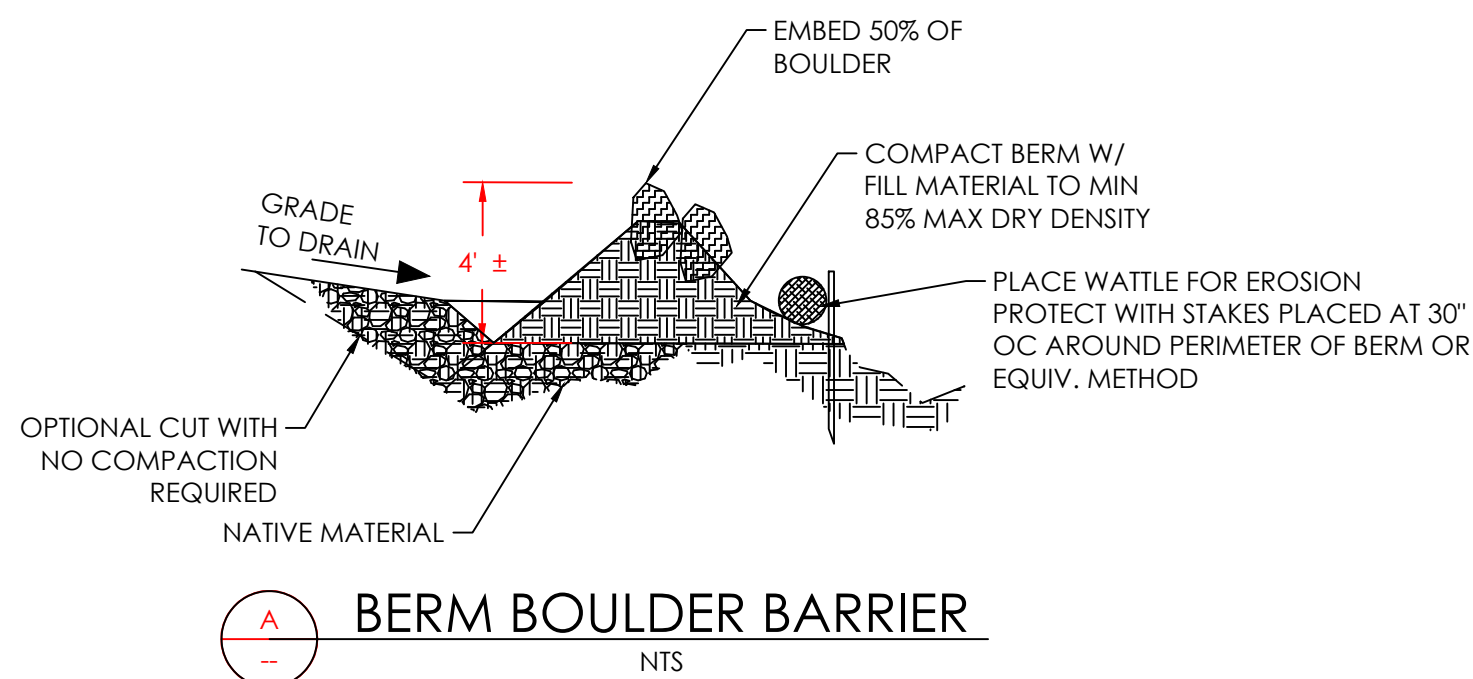
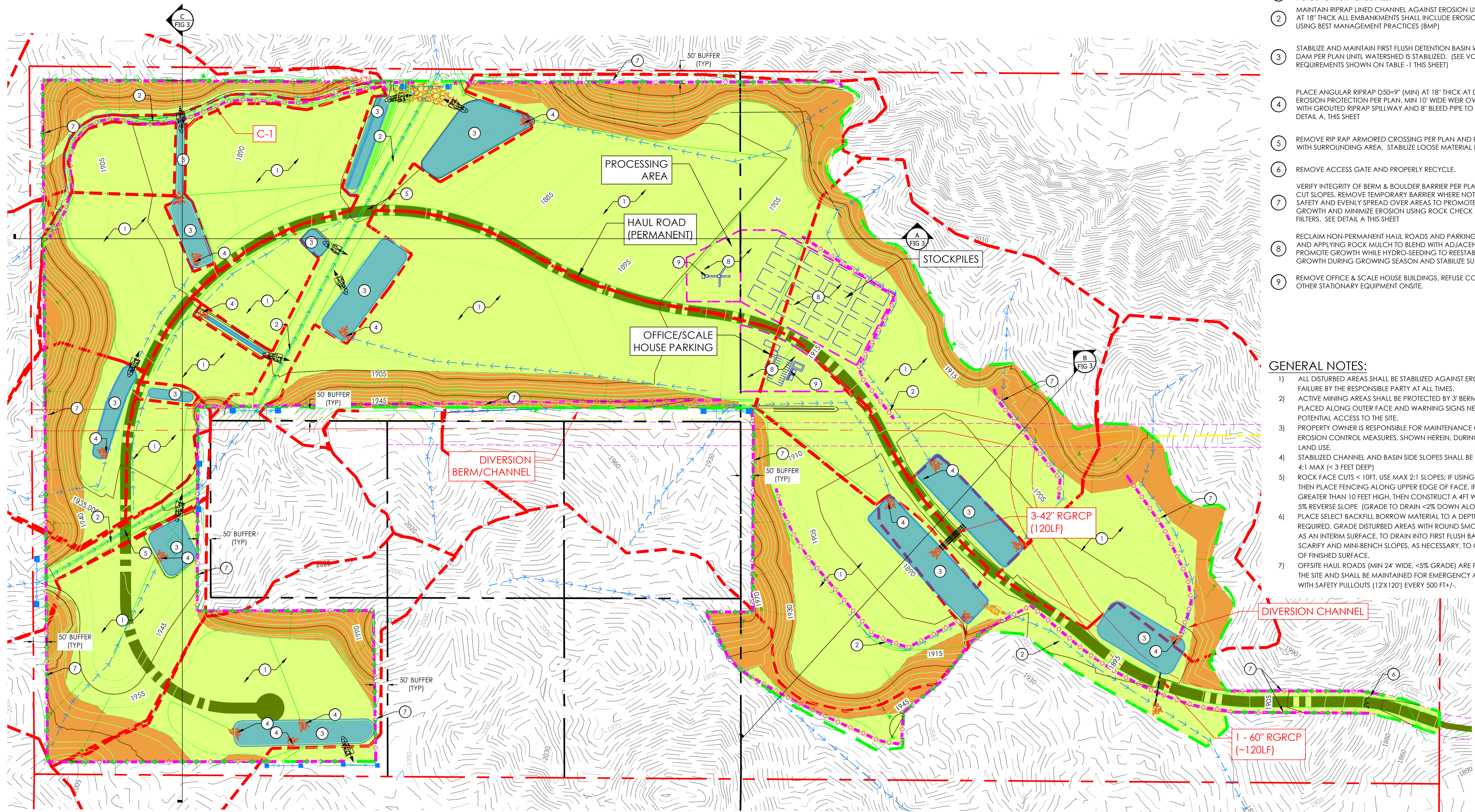


## Exhibit C

### Post-Mining Reclamation Plan



\\VESPRO-F01\DevEng\juba\21003\_kb1 Aggregate Mine CAD\DESIGN\21003 FG\_recover



**SITE DATA:**  
TOTAL CUT VOL - 7,084,968 CUBIC YARDS  
TOTAL AREA - 162.65 ACRES

- LEGEND**
- PROPERTY LINE
  - DRAINAGE AREAS
  - MINE SITE BOUNDARY
  - BERM BARRIER
  - PROPOSED CHANNEL FLOW
  - AGGREGATE MINING AREA
  - CUT SLOPE (>10%)
  - FIRST FLUSH SEDIMENT BASIN



### RECLAMATION NOTES

- RECLAIM AREA PER POST MINE LAND USE REQUIREMENTS. SEE GENERAL NOTE 6 FOR FURTHER DETAILS.
- MAINTAIN RIPRAP LINED CHANNEL AGAINST EROSION USING A MIN D50=9" AT 18" THICK ALL EMBANKMENTS SHALL INCLUDE EROSION PROTECTION USING BEST MANAGEMENT PRACTICES (BMP)
- STABILIZE AND MAINTAIN FIRST FLUSH DETENTION BASIN WITH ROCK CHECK DAM PER PLAN UNTIL WATERSHED IS STABILIZED. (SEE VOLUME REQUIREMENTS SHOWN ON TABLE -1 THIS SHEET)
- PLACE ANGULAR RIPRAP D50=9" (MIN) AT 18" THICK AT DROP OUTLETS FOR EROSION PROTECTION PER PLAN. MIN 10' WIDE WEIR OVERFLOW STRUCTURE WITH GROUTED RIPRAP SPILLWAY AND 8" BLEED PIPE TO DRAIN BASIN. SEE DETAIL A, THIS SHEET
- REMOVE RIP RAP ARMORED CROSSING PER PLAN AND RE-GRADE TO BLEND WITH SURROUNDING AREA. STABILIZE LOOSE MATERIAL FROM ERODING.
- REMOVE ACCESS GATE AND PROPERLY RECYCLE.
- VERIFY INTEGRITY OF BERM & BOULDER BARRIER PER PLAN ALONG TOP OF CUT SLOPES. REMOVE TEMPORARY BARRIER WHERE NOT NEEDED FOR PUBLIC SAFETY AND EVENLY SPREAD OVER AREAS TO PROMOTE REVEGETATION GROWTH AND MINIMIZE EROSION USING ROCK CHECK DAMS WITH GRAVEL FILTERS. SEE DETAIL A THIS SHEET
- RECLAIM NON-PERMANENT HAUL ROADS AND PARKING BY SCARIFICATION AND APPLYING ROCK MULCH TO BLEND WITH ADJACENT TOP SOIL COVER PROMOTE GROWTH WHILE HYDRO-SEEDING TO REESTABLISH NATIVE GROWTH DURING GROWING SEASON AND STABILIZE SURFACE.
- REMOVE OFFICE & SCALE HOUSE BUILDINGS, REFUSE CONTAINERS, AND ALL OTHER STATIONARY EQUIPMENT ONSITE.

### GENERAL NOTES:

- ALL DISTURBED AREAS SHALL BE STABILIZED AGAINST EROSION AND SLOPE FAILURE BY THE RESPONSIBLE PARTY AT ALL TIMES.
- ACTIVE MINING AREAS SHALL BE PROTECTED BY 3' BERM WITH BOULDERS PLACED ALONG OUTER FACE AND WARNING SIGNS NEAR ALL POINTS OF POTENTIAL ACCESS TO THE SITE.
- PROPERTY OWNER IS RESPONSIBLE FOR MAINTENANCE OF PERMANENT EROSION CONTROL MEASURES. SHOWN HEREIN, DURING POST MINING LAND USE.
- STABILIZED CHANNEL AND BASIN SIDE SLOPES SHALL BE CONSTRUCTED AT 4:1 MAX (< 3 FEET DEEP)
- ROCK FACE CUTS < 10FT, USE MAX 2:1 SLOPES; IF USING 1:1 SIDE SLOPES THEN PLACE FENCING ALONG UPPER EDGE OF FACE. IF CUT WALLS ARE GREATER THAN 10 FEET HIGH, THEN CONSTRUCT A 4FT WIDE BENCH WITH 5% REVERSE SLOPE (GRADE TO DRAIN <2% DOWN ALONG FACE < 200FT).
- PLACE SELECT BACKFILL BORROW MATERIAL TO A DEPTH OF COVER REQUIRED. GRADE DISTURBED AREAS WITH ROUND SMOOTH TRANSITIONS, AS AN INTERIM SURFACE, TO DRAIN INTO FIRST FLUSH BASINS, PER PLAN. SCARIFY AND MINI-BENCH SLOPES, AS NECESSARY, TO CONTROL EROSION OF FINISHED SURFACE.
- OFFSITE HAUL ROADS (MIN 24' WIDE, <5% GRADE) ARE FOR ACCESS TO THE SITE AND SHALL BE MAINTAINED FOR EMERGENCY ACCESS VEHICLES WITH SAFETY PULLOUTS (12X120) EVERY 500 FT+/-.

**VESPRO**  
8502 E. Via de Ventura Suite 101  
Scottsdale, AZ 85258  
Ph: (480) 393-3640 Fx: (480) 393-3639  
www.Vespro.net

REVISIONS

**KB-1 AGGREGATE MINE SITE**  
40330 N 131ST AVE MORRISTOWN, AZ 85342  
**MINING RECLAMATION PLAN**

PROJECT NO:	8/20/21
DRAWING DATE:	WF
DRAWN BY:	BF
CHECKED BY:	AS NOTED
DRAWING SCALE:	21003 FG_recover
DRAWING FILE:	
EXHIBIT	C



## Exhibit D

### Post Mining Land Use Plan



Lake Pleasant - V3 Conceptual Master Plan				
DESCRIPTION		Acreage	Dwelling Units Per Acre	
Gross Acreage		291.48 AC.	1.19 DU/AC	
Parcel	Lot Size	Developable Acreage	Units	Mix
1	Custom 1 AC. Lots	23.68 AC.	14	4.05%
2	45'x120'	21.34 AC.	72	20.81%
3	45'x120'	17.55 AC.	59	17.05%
4	50'x120'	11.96 AC.	36	10.40%
5	50'x120'	16.43 AC.	50	14.45%
6	55'x120'	15.61 AC.	43	12.43%
7	55'x120'	9.24 AC.	26	7.51%
8	60'x120'	18.01 AC.	46	13.29%
45'x120'		38.89 AC.	131	37.86%
50'x120'		28.39 AC.	86	24.86%
55'x120'		24.85 AC.	69	19.94%
60'x120'		18.01 AC.	46	13.29%
Custom 1 AC. Lots		23.68 AC.	14	4.05%
Total		133.82 AC.	346	

